THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :14562 OF 2007

DATED:07-09-2007

BETWEEN:

Koyalkar Gaddam Dev Bai & 5 others.

..... PETITIONERS

AND

The Mandal Revenue Officer,
Jangaon mandal,
Warangal District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the 1st respondent in not enquiring into and disposing of the case in File No.233/2006 in respect of the land admeasuring Ac.12.13 guntas in Sy.No.425 of Jangaon village and mandal, Warangal District in respect of mutations in ROR pursuant to the orders, dated 05-06-2006, passed in Rc.No.E/354/2005 by the 2nd respondent, as arbitrary and contrary to law.

3. It is the case of the petitioners that against the orders passed by the 1st respondent-Mandal Revenue Officer, Jangaon Mandal in proceedings Rc.A/12241/2002, dated 11-12-2002, effecting mutation and issuing pattadar pass books and title deeds in favour of the unofficial respondents herein, one Koyalkar Gaddam Ramji-husband of the 1st petitioner; and father of the other petitioners; filed an appeal under Section 5-B of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for brevity, 'the Act') before the 2nd respondent-Revenue Divisional Officer, Jangaon and the 2nd respondent by order, dated 05-06-2006, in Rc.No.E/354/2005, while disposing of the appeal, set aside the 13-B certificate issued in Rc.No.A/12241/2002, dated

11-12-2002, and cancelled the pattadar passbooks and title deeds issued in favour of the unofficial respondents herein, and the 1st respondent is directed to cancel the entries in the records and further directed to cause a *denova* enquiry by giving sufficient opportunity to all the concerned and decide the original owner of the land in Sy.No.425 an extent of Ac.15.00 situated in Jangaon village and mandal, Warangal District. It is stated that pursuant to the said order, 1st respondent has not completed the enquiry and the enquiry is still pending.

4. Learned Government Pleader for Revenue appearing for the respondents, on instructions, submitted that enquiry is still pending and therefore 1st respondent may be directed to complete the enquiry and pass appropriate orders.

5. Accordingly, Writ Petition is disposed of directing the 1st respondent to complete the enquiry and dispose of the Case in File No.233/2006 in respect of the said land in question situated in Sy.No.425 of Jangaon village and mandal after giving reasonable opportunity to all the concerned in accordance with law, as expeditiously as possible, without any undue delay. There shall be no order as to costs.

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V.ESWARAIAH,J

07th September, 2007.
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